

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DRE'SHAWN HADDLEY,
QUAVEION HADDLEY, and ALEXIS
HADDLY, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

APRIL HADDLEY,

Respondent-Appellant,

and

ALLEN VAUGHN, LARRY CLARK, and
MARTINEZ COLLINS,

Respondents.

UNPUBLISHED
September 29, 2005

No. 258747
Calhoun Circuit Court
Family Division
LC No. 02-003427-NA

Before: Saad, P.J., and Jansen and Markey, JJ.

MEMORANDUM.

Respondent appeals as of right from the order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds had been established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000). Guardianships for the minor children were established in September and October 2000 because respondent was incarcerated. In January 2002, respondent petitioned to terminate these guardianships. However, the court ordered that the guardianships continue pending the completion of the court-structured reunification plan. The condition that led to adjudication was respondent's failure to comply with the reunification plan in the guardianship matter. At the time of the termination hearing, respondent still had not fully complied with the case service plan. For example, respondent was ordered to attend individual counseling and a "relapse prevention" program. However, respondent stopped attending the therapy sessions. Respondent was also ordered to attend parenting classes, which she did. However, respondent

did not consistently visit her children. In addition, the court had to change the visitation arrangements because respondent tried taking the children without permission.

Moreover, the children were placed with relatives for a significant amount of time because of respondent's criminal activity and subsequent incarcerations. At the time of the termination hearing, respondent was not working because she had just been released from jail. Respondent was asked how she planned on supporting her children, and she stated that her only income was "basically food." Respondent further stated that her caseworker was working on getting a grant. Although there was no evidence that respondent physically assaulted her children, there was evidence that (1) one child was frightened of her mother and (2) there was a reasonable expectation that the children could be harmed if placed with respondent because of the questionable people with whom respondent associated.

The trial court also did not err in its best interests determination. Though the testimony revealed feelings of affection between respondent and her children, the children had been living with relatives for a significant amount of time. They need some stability and permanence in their lives and a safe environment and this, respondent could not or would do.

Affirmed.

/s/ Henry William Saad

/s/ Kathleen Jansen

/s/ Jane E. Markey